(24)

HIGH COURT OF CHHATTISGARH, BILASPUR,

WRIT PETITION (S) No. 4902/2007

PETITIONER Smt. Meenakshi Wazalwar, aged about 49 years, wife of Shri Deepak Raon Wazalwar, posted as Lecturer, at Govt. Higher Secondary School, Tarbahar, Bilaspur, Distt. Bilaspur, R/o Vinobha Nagar, Bilaspur (C.G).

Versus

RESPONDENTS

1. State of Chhattisgarh, Through: The Secretary, Department of School Education, D.K.S Bhawan, Raipur (C.G)
2. The Director, Public Instructions, Chhattisgarh, H.Q. Raipur (C.G.)
3. The District Education Officer, Bilaspur, Distt. Bilaspur

Writ Petition under Article 226 of the Constitution of India

Appearance:

Shri Rajkumar Gupta, Counsel for the petitioner.

Ms. Deepali Pandey, Panel Lawyer for the State on advance copy.

ORAL ORDER
(21.08.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

Learned counsel for the petitioner submits that the petitioner has passed M.Ed., examination on her own expenses, therefore, she is entitled to receive two advance increments according to circulars dated 24.12.1998 & 01.3.1999. He also submits that in many identical matters, the petitions have been allowed in terms of the order passed in the case of ***Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (2006 (II) MPJR-CG 96).*** He submits that the case of the petitioner is squarely covered by the said decision.

WRIT PETITION (S) No. 4902/2007

This legal position is not disputed by learned counsel for the State. However, she submits that the order may be passed in terms of the said judgment, but it shall be subjected to verification regarding petitioner's such qualification.

Accordingly, this writ petition is allowed in terms of the order passed in case of *Yashwant Kumar Bhardwaj Vs. Municipal Corporation, Durg and another (supra)* subject to verification of the facts as to whether the petitioner had acquired B.Ed.,/M.Ed., Examination Certificate on her own expenses as per circulars dated 24.12.1998 & 01.3.1999 and further whether she has been paid two advance increments or not.

This petition stands finally disposed of. No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge

/Rao/